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Report of the Secretary-General on the activities of the Office of Internal Oversight Services

Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Report of the Office of Internal Oversight Services on the global review of discipline in field missions led by the Department of Peacekeeping Operations*

Summary

At the request of the Under-Secretary-General for Peacekeeping Operations, the Office of Internal Oversight Services (OIOS) reviewed the state of discipline in field missions led by the Department to obtain an understanding of the environment in which gross violations of United Nations standards of conduct occurred. Based on the results of its reviews, OIOS issued 19 individual reports to management in the field, which recommended corrective actions.

The major objective of the review was to assist the Department of Peacekeeping Operations senior management in determining a course of action to strengthen the Organization's standards of conduct and ensure full compliance. To achieve this objective, OIOS (i) assessed the state of discipline in field missions, (ii) identified gaps in relevant policies and procedures and (iii) identified tools the missions need to maintain an environment of good order and adherence to the United Nations standards of conduct.

* The late submission of the present report was due to the delay in receiving comments on the report's findings and recommendations and the time required to evaluate and incorporate those comments.

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In recent years, a sharp increase in the number of reported cases of serious misconduct, especially sexual exploitation and abuse, has highlighted the overall issue of discipline in peacekeeping and other field missions. In 2003 and 2004, the OIOS Investigations Division received a total of 1,182 cases of various types of misconduct and violations of United Nations rules and regulations, including sexual exploitation and abuse. The Secretary-General also requested the Permanent Representative of Jordan to conduct a comprehensive review of the sexual exploitation and abuse problem involving United Nations peacekeeping personnel, which was published on 24 March 2005 in document A/59/710. Although the present OIOS report covers the general subject of discipline, its findings and recommendations are generally in line with those contained in the prior report (see A/59/710) regarding the need for a comprehensive strategy to eliminate future sexual exploitation and abuse in United Nations peacekeeping operations and the related report of the Special Committee on Peacekeeping Operations (A/59/19/Rev.1), in which it endorses certain recommendations in the above-mentioned report.

OIOS found that indiscipline existed to varying degrees in all missions. However, the serious inadequacy of records maintained by missions and their inconsistency with Headquarters data made it impossible for OIOS to determine the extent of indiscipline precisely. The state of discipline in the missions is influenced by various factors, such as the operating environment in the duty station, the extent of laxity within the mission, the economic situation in the mission area, the varying national norms of behaviour among the contingents and United Nations personnel and the state of the judicial system in the host country.

OIOS also found that: Headquarters guidance was inadequate in terms of policies, procedures and guidelines; enforcement of policies and procedures at Headquarters and in the field was poor; and resources and skills were insufficient to prevent misconduct and to enforce the standards of conduct. Management has made some efforts to address the problem. However, these efforts have been made mainly in reaction to events and negative publicity, have been inconsistent across missions and have only recently been undertaken. Accordingly, deep-rooted and longstanding indiscipline issues have not been addressed adequately.

OIOS acknowledges the measures initiated by the Organization to address misconduct in the field. In his report on special measures for protection from sexual exploitation and sexual abuse (A/59/782), the Secretary-General indicated that some progress had been made in developing basic instruments to fight misconduct. With the promulgation of the zero-tolerance policy concerning sexual exploitation and abuse, focal points on discipline issues have been designated, training programmes launched and further developed, and policies and procedures established. However, although the Organization has set policies on discipline and can hold the individuals accountable for misconduct, neither these rules nor the Department of Peacekeeping Operations can control an individual's morality and actions. Unless every individual involved in peacekeeping takes discipline as his or her own personal responsibility, the Organization's efforts at curbing misconduct will not succeed.

The responsibility of the Department of Peacekeeping Operations for ensuring discipline in the field must also be shared by Member States. The Department should also seek support from Member States in upgrading peacekeepers' awareness of the Charter of the United Nations and the United Nations standards of conduct before they are deployed to field missions.

Overall, the OIOS review showed that monitoring the conduct of peacekeepers can no longer be addressed in the Organization's previous ad hoc and piecemeal fashion. The peacekeepers now clearly require sustained, methodical vigilance, through the creation of an institutionalized, full-time professional capacity at Headquarters and in the field. The major findings, which the Organization needs to address, are discussed below.

Management responsibilities, duties and accountability

1. There is a need to establish a clear link between the United Nations standards of conduct, the Organization's core values and competencies and the Charter of the United Nations, which requires the United Nations staff to commit themselves to "the highest standards of efficiency, competence and integrity".

2. There is a need for clear policies and procedures on discipline and related guidance to be implemented by missions. The Department of Peacekeeping Operations and senior mission managers should closely monitor the enforcement of such policies and procedures by instituting appropriate monitoring mechanisms.

3. There is no dedicated full-time capacity either at Headquarters or in the field responsible for monitoring the state of discipline and coordinating the efforts of the Department of Peacekeeping Operations to address conduct and discipline issues.

4. There were actual instances of abuse of authority by senior managers and commanders in the missions and the perception of such abuse among peacekeeping personnel.

5. There were actual instances and perceptions among some personnel of a double standard in handling misconduct cases relating to various levels of staff.

Policies, directives and guidelines

1. United Nations standards of conduct need to be clarified by specifying all types of misconduct, providing clear definitions and examples of each type and the corresponding administrative and disciplinary sanctions for any violation.

2. The memorandum of understanding with troop-contributing countries does not include provisions for actions to be taken where members of contingents are found to be engaged in serious misconduct.

3. There is a need for a specific directive on disciplinary matters involving formed police units that are assigned to some missions.

Handling and recording of complaints

1. OIOS is seriously concerned about the lack of policies regarding the maintenance of records on misconduct, as well as inconsistencies, gaps and inaccuracies of data at missions and Headquarters. There is no comprehensive database to record cases or allegations of misconduct, to monitor the state of discipline in all field missions and to ensure that United Nations personnel who violate the United Nations standards of conduct are not rehired.

2. There are no formal procedures for receiving and handling complaints in missions, including mechanisms for monitoring the status of action taken. A significant number of peacekeeping personnel surveyed by OIOS indicated that they did not know how to file a complaint.

3. In some missions, investigations units lacked the required number of investigators or the skill sets to conduct preliminary investigations of allegations or cases of misconduct.

Coordination and information-sharing

1. The civilian, military and civilian police components of the missions need to better coordinate the collection and sharing of information on misconduct.

2. In some instances, there were excessive delays in the Headquarters review of cases submitted for imposition of disciplinary action.

Misconduct prevention programmes

1. United Nations staff need to be reminded of their obligations under the Charter of the United Nations to act with the highest integrity and follow the United Nations standards of conduct.

2. All categories and levels of peacekeeping personnel need to become familiar with the United Nations standards of conduct and discipline issues through regular training.

3. Risk assessment exercises specific to each mission's exposure to discipline risks need to be conducted.

4. Most missions do not provide adequate welfare and recreational facilities for their personnel.

5. Overall, peacekeeping personnel who participated in the OIOS survey, perceived the state of discipline in the field as satisfactory. However, United Nations staff members and United Nations Volunteers, particularly females, perceived the state of discipline and the ability of the missions to address conduct and discipline issues as unsatisfactory.

OIOS issued 28 recommendations to address the foregoing issues and to improve the state of discipline in field missions.

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Missions covered by the OIOS review

- United Nations Mission for the Referendum in Western Sahara (MINURSO)
- United Nations Mission in the Democratic Republic of the Congo (MONUC)
- United Nations Assistance Mission in Sierra Leone (UNAMSIL)
- United Nations Disengagement Observer Force (UNDOF)
- United Nations Peacekeeping Force in Cyprus (UNFICYP)
- United Nations Interim Force in Lebanon (UNIFIL)
- United Nations Mission in Ethiopia and Eritrea (UNMEE)
- United Nations Interim Administration Mission in Kosovo (UNMIK)
- United Nations Mission in Liberia (UNMIL)
- United Nations Mission in Support of Timor-Leste (UNMISET)
- United Nations Military Observer Group in India and Pakistan (UNMOGIP)
- United Nations Operation in Côte d'Ivoire (UNOCI)
- United Nations Observer Mission in Georgia (UNOMIG)
- United Nations Truce Supervision Organization (UNTSO)
- United Nations Assistance Mission in Afghanistan (UNAMA)
- United Nations Mission in the Sudan (UNMIS)
- United Nations Operation in Burundi (ONUB)
- United Nations Stabilization Mission in Haiti (MINUSTAH)
- United Nations Logistics Base, Brindisi (UNLB)

I. Introduction

1. At the request of the Under-Secretary-General for Peacekeeping Operations, the Office of Internal Oversight Services (OIOS) reviewed the state of discipline in all field operations led by the Department of Peacekeeping Operations to assist senior management of the Department in understanding the environment in which gross violations of the United Nations standards of conduct occurred and in identifying their causes and possible measures to address discipline issues.

2. In recent years, an increase in the number of allegations of sexual exploitation and abuse involving United Nations staff and other personnel in missions has highlighted the issue of misconduct in peacekeeping and other field missions as an area of concern requiring critical assessment by the Organization.

3. The Secretary-General requested the Permanent Representative of Jordan to conduct a comprehensive review of the sexual exploitation and abuse problem in peacekeeping missions. The report resulting from this review (A/59/710) contains a comprehensive strategy to eliminate future sexual exploitation and abuse in United Nations peacekeeping operations. That report and the related report of the Special Committee on Peacekeeping Operations,[1] which endorses certain recommendations of the report on the comprehensive review, contain a series of recommendations to address sexual exploitation and abuse in the field. While the OIOS findings and recommendations are generally in line with those contained in document A/59/710, the present OIOS report also raises other critical issues relating to discipline, including all types of misconduct.

4. OIOS conducted its review in all 18 field missions led by the Department of Peacekeeping Operations and the United Nations Logistics Base (UNLB) at Brindisi, Italy, in accordance with a programme developed jointly by OIOS, the Department, the Office of Human Resources Management of the Department of Management. OIOS reviewed the relevant policies and guidelines on discipline and selected a number of misconduct cases to assess compliance with established procedures for the period from 2002 to the first quarter of 2005. The review also included surveys of all categories of peacekeeping personnel to obtain their views on the state of discipline in their missions.

5. OIOS is pleased to acknowledge that the Department of Peacekeeping Operations and the Office of Human Resources Management have already started to implement most of the recommendations contained in the present report. For example, the Department has established conduct and discipline teams at Headquarters and in eight field missions, which will focus on implementing mechanisms to prevent misconduct, enforce the United Nations standards of conduct and track misconduct cases. The Department, the Office and the OIOS Investigations Division are developing various training programmes, including modules on the code of conduct, prevention of sexual exploitation and abuse and investigative techniques. In addition, discipline policies and procedures are being revised and further developed.

[1] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 19* (A/59/19/Rev.1).

II. Management responsibilities, duties and accountability

Leadership capacity needs to be strengthened and constant vigilance maintained

6. The shortcomings reflected in the present report can be attributed to a number of inadequacies in Headquarters and field mission leadership. There is a need to establish a clear link between the United Nations standards of conduct, the Organization's core values and competencies and the Charter of the United Nations, which requires the United Nations staff to commit themselves to "the highest standards of efficiency, competence and integrity". The personnel who do not fulfil their ethical commitment to follow the United Nations standards of conduct should be held accountable for their actions. In this regard, OIOS observed that there was no dedicated full-time capacity at Headquarters or in the field to monitor the state of discipline and to coordinate the efforts of the Department of Peacekeeping Operations to address conduct and discipline issues.

7. While missions have designated a focal point for receiving complaints on sexual exploitation and abuse cases, all other misconduct complaints are filed with multiple entities within a mission. At Headquarters, there is no single office responsible for tracking cases of indiscipline referred by the missions. Depending on the nature of the case and the alleged offender, cases may be referred to the Office of Human Resources Management, the Personnel Management and Support Service, the Military Division or the Civilian Police Division in the Department of Peacekeeping Operations, or the Investigations Division in OIOS. As such, monitoring the state of discipline cases under the current structure at Headquarters and in the missions is difficult. Moreover, OIOS found that there are no tools and procedures for recording and tracking cases. In addition, no mechanisms have been established at Headquarters or in the field to ensure consistent application of policies, procedures and guidelines on discipline.

Shared responsibility and accountability need to be strengthened

8. Responsibility for existing shortcomings in discipline cannot be fully attributed to the Department of Peacekeeping Operations. Individual peacekeepers, both military and civilian, need to take responsibility for their own morality and actions. The Department's responsibility for discipline must also be shared by Member States. In this regard, the Department needs to seek assistance from Member States in helping to ensure peacekeepers' awareness of the United Nations standard of conduct before their deployment to field missions and their assistance in subsequently taking swift action to stamp out indiscipline when identified.

9. There is scope for the Department of Peacekeeping Operations and Member States, particularly troop-contributing countries, to share responsibility for peacekeepers' actions in the field. Peacekeepers' conduct could be monitored by establishing a joint Secretariat/Member State working group, created under the aegis of the Special Committee on Peacekeeping Operations, or through regular coordination meetings on conduct issues attended by the Department and representatives of Member States.

Managers need to lead by example

10. OIOS identified actual instances and perceptions among some staff that senior mission managers and commanders abused their authority and did not set a good example for others to follow. For example, in the United Nations Interim Administration Mission in Kosovo (UNMIK), managers and staff interviewed by OIOS stated that some senior managers did not actively promote the code of conduct and had not attended discrimination and harassment awareness sessions and town hall meetings regarding such code of conduct issues as sexual exploitation and abuse which sent the message that these managers did not take disciplinary matters seriously.

Administrative and disciplinary actions need to be applied fairly and consistently across all categories and levels of peacekeeping personnel

11. There were actual instances of a double standard in handling misconduct cases involving various levels of mission personnel, and some mission staff surveyed by OIOS perceived that this was the situation. For example, cases involving junior personnel were dealt with swiftly and/or resulted in harsh punishment, while more senior personnel were often protected and not punished. Double standards also existed with regard to handling cases and meting out punishment for infractions among different categories of personnel and between international and national staff.

12. The general impression resulting from the Office of Internal Oversight Services' survey of personnel in the United Nations Operation in Burundi (ONUB), the United Nations Operation in Côte d'Ivoire (UNOCI), UNMIK and the United Nations Mission in Ethiopia and Eritrea (UNMEE) was that mission management was not even-handed in addressing disciplinary issues. The common perception was that senior management and commanders were allowed to avoid punishment for misconduct, while lower-ranking personnel were punished for the same offences. For example, in UNMIK, although civilian police policies are clear on what disciplinary action should be taken, many civilian police respondents indicated that disciplinary action, in practice, was applied inconsistently, depending on the officer's position, nationality and/or gender. In UNMEE, some local staff respondents commented that cases reported by national staff against international staff should be handled equally.

13. OIOS found that there were numerous cases of drunk driving in the UNMEE mission area. However, there appeared to be no uniform standard for handling them. In one case, a private, who entered the staff officer's camp on foot and was allegedly drunk, was repatriated on disciplinary grounds. However, a lance corporal from the same contingent, who had been drinking, was not allowed into the staff officer's camp as he had a local female with him. He, nevertheless, went inside the camp, took an UNMEE truck and hit the gate beam. Although his offence was more serious, he was not repatriated. Issues of repatriation are initiated by the contingent commanders. Such varying punishments for misconduct offences gave rise to the strong perception of unequal treatment of offenders in the mission.

Managers' performance in addressing discipline issues needs to be evaluated

14. The performance evaluations of managers and commanders did not spell out their responsibilities for ensuring compliance by their personnel with instructions for implementing measures addressing misconduct. In the opinion of OIOS, in order to establish accountability, mission management should periodically review each section chief's and unit chief's performance in addressing discipline issues and in enforcing the United Nations standards of conduct. For example, section chiefs could periodically brief their staff on matters pertaining to discipline in their sections or require them to attend briefings and/or training sessions on discipline issues, including "town hall" meetings. In addition, chiefs could encourage reporting of misconduct, such as harassment and exploitation of any nature, abuse of power and authority, misuse of United Nations assets and facilities and other types of misconduct. Moreover, the General Assembly, in its resolution 59/287 on strengthening the investigation functions in the United Nations, suggests the mandatory reporting of misconduct by managers. Likewise, contingent commanders could be made responsible for maintaining and monitoring discipline in their respective contingents by having periodic briefings on disciplinary matters. In this regard, performance or non-performance should be suitably reflected in the performance appraisal reports based on criteria to be established for this purpose. This would encourage section chiefs and contingent commanders to actively promote discipline in their respective charges.

15. For civilian peacekeeping personnel, the Department of Peacekeeping Operations should establish a clear link between the United Nations standards of conduct and the Organization's core values and competencies in the e-PAS performance evaluation and ensure that staff are properly appraised in this area, based on established criteria. Regarding the military component, although the Force Commander has overall responsibility for preventing sexual exploitation and abuse and misconduct cases, the contingent commanders are responsible for maintaining discipline in their contingents. Therefore, in order to enable the Force Commander and mission management to establish effective prevention programmes, the Department should, in agreement with the troop-contributing countries, establish procedures to evaluate commanders against the mission's performance criteria on sexual exploitation and abuse and other types of misconduct. Such procedures should include an obligation to report all discipline issues to mission management.

III. Policies, directives and guidelines

United Nations standards of conduct need to be clarified

16. OIOS agrees with the view of most mission personnel that current policies and procedures lack clarity in defining misconduct terminologies and in providing guidance that spells out the consequences for misconduct offences and do not provide management with adequate guidance on handling discipline issues. Specifically, the OIOS survey showed that many respondents wanted a clearer definition and examples of sexual exploitation, abuse and harassment, bad behaviour or prohibited conduct and alcohol abuse. In this regard, OIOS noted that the interim procedures for investigations in the Department of Peacekeeping Operations, issued on 8 November 2005 by the Department and OIOS, provide a list

of offences to all personnel in peacekeeping operations. Additionally, military and civilian police have disciplinary directives from the Department of Peacekeeping Operations and the Department of Safety and Security showing a range of offences. Currently, however, these procedures pertain only to Department of Peacekeeping Operations operations, where they will be tested and later issued as a guideline for all United Nations personnel.

17. Although the Organization has set the United Nations standards of conduct and issued related guidelines on discipline for military personnel, such as "Ten Rules: Code of Personal Conduct for Blue Helmets" and "We Are United Nations Peacekeepers", there is a further need to specify certain types of misconduct, such as "other", including lesser offences, and to clarify what constitutes permissible and prohibited relations with the local population and/or staff, and the corresponding administrative and disciplinary action for violations. This requirement is also in line with resolution 59/287, in which the General Assembly requests the Secretary-General to ensure that all staff of the Organization are informed of the most common examples of misconduct and/or criminal behaviour and their consequences. It should be noted that the responsibility for disciplinary action involving troops rests with troop-contributing countries.

Guidelines to implement the special measures for protection from sexual exploitation and abuse need to be developed

18. While the Organization has disseminated the Secretary-General's bulletin on the special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13), the related practical guidance on how to ensure that the local population, including domestic staff employed by international staff members, is not sexually exploited and abused, or requested to provide sexual favours in exchange for employment, has not been developed. Although the bulletin establishes a zero tolerance policy on sexual exploitation and abuse, most missions indicated that specific measures and/or guidance to achieve this policy are lacking. In the opinion of OIOS, one such measure should involve the greater use of more gender-balanced interview panels for recruiting local staff.

The memorandum of understanding with troop-contributing countries needs to be revised

19. The memorandum of understanding with the troop-contributing countries does not include the "Ten Rules: Code of Personal Conduct for Blue Helmets" and "We Are United Nations Peacekeepers", with provisions for courses of action to be taken when members of contingents are found to be engaged in serious misconduct, including reporting on the outcome of action taken by a troop-contributing countries after repatriation on grounds of misconduct.

Specific disciplinary directives for the formed police units need to be developed

20. There is a need for a specific directive on disciplinary matters involving formed police units. Currently, these units are regarded as civilian police personnel, but the Department of Peacekeeping Operations directive for disciplinary matters involving civilian police does not make a distinction for formed police units, which cannot be disciplined because they report to their national unit commander, as do

military personnel, rather than to the Police Commissioner for the civilian police. In the opinion of the OIOS, there is a need for a separate directive for disciplinary matters involving civilian police deployed as formed police units.

Whistle-blower protection policy needs to be implemented

21. At the time of review, there was no comprehensive set of policies and procedures protecting whistle-blowers. The OIOS survey indicated that in all missions, the lack of protection against reprisals for whistle-blowing is the main reason why many peacekeeping personnel are unwilling to report cases of misconduct. These personnel were not certain if such information would be used to the detriment of the person making the report. Some of the respondents interviewed by OIOS noted that the work environment does not always support reporting misconduct incidents. Common reasons for not reporting misconduct were fear of reprisal, lack of confidence in the disciplinary process, lack of support from managers who enforce the disciplinary process and take corrective action, and the "code of silence", whereby reporting is "strongly discouraged."

22. OIOS is pleased to note that on 19 December 2005, the Secretary-General issued bulletin ST/SGB/2005/21, entitled "Protection against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations", effective 1 January 2006.

The policy on protection against malicious accusations needs to be enforced

23. There is no mechanism in place to guard against possible malicious accusations of prohibited conduct made in an attempt to blackmail and extort money from peacekeeping personnel or for political and other reasons. In this context, the disciplinary mechanism can be used unfairly to destroy the career of peacekeeping personnel or damage the reputation of the mission or the Organization. For example, one of the survey respondents in ONUB commented, "Sometimes accusations are not valid and can be implanted or used against a person out of personal revenge".

24. There needs to be a forceful response by the Organization to malicious complaints, including quick and timely investigation, public information and swift administrative and disciplinary action.

The policy on maintenance of investigation records needs to be established

25. In all missions, records of misconduct cases are either incomplete or not kept at all, as there is no policy on the maintenance and retention of records on such cases. In the United Nations Mission in the Democratic Republic of the Congo (MONUC), for example, the Office of the Force Commander did not maintain records of complaints of misconduct, investigations carried out and final decisions taken. The Office could not provide OIOS with information on misconduct cases from 2002 to 2004. On the civilian side, the MONUC Personnel Section needed to conduct an extensive review of personnel files to develop a summary of misconduct cases for the calendar years 2002 to 2004 in response to a request by OIOS. No records were available for disciplinary actions taken in respect of the cases that occurred in 2002.

The code of ethics specific to staff involved in procurement needs to be established and acknowledged

26. The Staff Regulations and Rules, together with the standards of conduct for the international civil service that were adopted by the General Assembly in its resolution 56/244, establish the values, principles and standards of conduct of United Nations staff members. However, there is no specific professional code of ethics for procurement staff at Headquarters and in the field and for members of the Headquarters Committee on Contracts and local committees on contracts in the field. Regarding contractor staff, at the time of the review, United Nations contracts did not include any provision requiring them to abide by the Secretary-General's bulletin on the special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13). Subsequently, annex A of the United Nations General Conditions of Contract was revised by including article 20, "Sexual exploitation", which requires a contractor to take all appropriate measures to prevent sexual exploitation and abuse of anyone by it or by any of its employees performing services under a contract with the United Nations.

IV. Handling and recording of complaints

A comprehensive database to record misconduct cases needs to be established

27. OIOS is seriously concerned about the inconsistencies, gaps and inaccuracies in the data on misconduct available at missions and Headquarters. For example, MONUC records showed eight sexual exploitation and abuse cases in 2004, while Department of Peacekeeping Operations headquarters reported 76 such cases involving MONUC personnel. There is no comprehensive database to be used for recording cases or allegations of misconduct and monitoring the state of discipline in field missions. Furthermore, there are no standardized systems among the various mission components to track information on misconduct cases. In all missions, the military, civilian police and civilian administration each have their own systems for recording and monitoring misconduct cases.

28. In MONUC, during the period January 2002 to December 2004, a total of 50 cases were processed by the Special Investigation Unit in the Security Section. The Unit's database did not show the number of cases relating to misconduct forwarded to the Personnel Section. In addition, the Office of the Force Commander could not provide data on misconduct cases during the period 2002 to 2004 and informed OIOS that such information was not available because the Office did not maintain a database to record complaints of misconduct, investigations carried out and final decisions taken. OIOS was also informed that there was not a proper handover of files when the staff officer who handled misconduct cases left his position. Moreover, the Mission was not aware of a number of sexual exploitation and abuse cases uncovered by the OIOS Investigations Division.

29. In the United Nations Stabilization Mission in Haiti (MINUSTAH), although the Security Section, the Provost Marshall and the Internal Investigation Unit of the civilian police had their own databases to record complaints received, these databases were incomplete and were not shared. Most of the contingent commanders did not keep records of misconduct cases. There were 40 cases of misconduct

reported, of which 10 cases were reported to the Provost Marshall by the contingents.

Formal procedures for the receipt and handling of complaints need to be established

30. There are no formal procedures in place for the receipt and handling of complaints in missions, including a comprehensive system to monitor the status of complaints received, investigation and final resolution. Many mission personnel who participated in the OIOS survey indicated that they did not know how to file a complaint.

31. As a result of having complaint cases handled by multiple entities, there is a high risk that complaints are not properly dealt with or followed up. Complaints can be addressed to many different offices and officials, such as the civilian Security Section and Personnel Section, the Chief Military Personnel Officer, the Force Provost Marshall, the Internal Investigation Unit of the civilian police, or the contingent commanders. It should be noted that the interim procedures document issued by the Department of Peacekeeping Operations and OIOS on 8 November 2005 indicates how complaints are to be reported: category I misconduct cases are reported immediately to OIOS by any means; and category II misconduct cases are reported to missions or conduct and discipline teams and then to OIOS.

32. In UNOCI, cases of misconduct involving military personnel are not being reported to the Special Representative of the Secretary-General. In a sexual harassment case, the soldier involved was repatriated as a result of the contingent investigation. Similarly, a case of fraud that involved the use of a stolen telephone PIN code by a soldier was investigated by the contingent with the assistance of the administration's Communications and Information Technology Section, resulting in the recovery of monies and the repatriation of the soldier. Neither of these cases had been reported to the Special Representative. The latter case, involving the recovery of money, had not been reported to the Controller or to the Investigations Division of OIOS.

The capacity of mission investigations units needs to be strengthened

33. In some missions, investigations units lacked a sufficient number of investigators or the necessary skill sets to investigate allegations or cases of misconduct effectively. For example, the ONUB Investigation Unit was not effectively and efficiently utilized, as investigators were often tasked with other duties, such as providing security convoys and escorts for high-ranking officials and envoys, assisting the military police on night patrols, or remaining on call for general Security Section duties. Continuing and specialized training also needs to be provided to increase the skill sets required to handle misconduct investigations in all missions.

34. In the United Nations Assistance Mission in Afghanistan (UNAMA), the Chief Legal Adviser and the Senior Police Adviser noted that there was a need to enhance the capabilities of the Mission's investigation team. In their view, investigation reports were not complete, as members of the board of inquiry had to solicit additional information on several occasions. The OIOS review of the eight investigation reports relating to the reported cases of misconduct from 2002 to 2004 revealed that in all of them the investigator had recommended the course of

disciplinary measures to be taken by UNAMA management. However, the preliminary investigation report should include only facts and findings, since the head of mission is responsible for making a recommendation on the course of action to be taken (paras. 3 and 4 of ST/AI/371). The Deputy Chief of Security of UNAMA informed OIOS that standard operating procedures had not yet been established for conducting and drafting reports on investigations.

35. The Special Investigation Unit and the Office of the Force Provost Marshall in UNOCI are understaffed. The Unit has authorized a staff of nine, but at the time of the review, only three international and one local staff were on board. The Office of the Force Provost Marshall had authorized staffing of 50, but had only been provided 33 staff.

36. In the view of OIOS, there is a need to provide formal investigation training to personnel conducting investigations of lower risk cases, that is, category II misconduct. In its resolution 59/287 on strengthening the investigation functions in the United Nations, the General Assembly mandates OIOS to provide such training.

V. Coordination and information-sharing

Coordination among mission components needs to be improved

37. The civilian, military and civilian police components of missions, as well as other United Nations agencies operating in the duty station, need to improve coordination when addressing discipline issues, particularly the collection and sharing of information on misconduct.

38. In UNOCI, coordination between the Personnel Section and Security Section within each of the civilian, military and civilian police components was informal. Coordination among personnel groups needed to be formalized with respect to information sharing, reporting relationships and investigative authority. Failure to establish a formal coordination structure leaves the missions vulnerable to traditional, functional reporting loyalties. For example, in MINUSTAH, two major misconduct cases involving staff members of the Security Section were investigated by Section personnel.

39. The Provost Marshall in the United Nations Mission in Liberia (UNMIL) noted that the civilian investigators, such as the Sexual Exploitation and Abuse Focal Committee, were unwilling to coordinate activities with the military. While the Committee had reported 38 sexual exploitation and abuse allegations, involving 29 military personnel, coordination with the Office of the Provost Marshall was requested in only two instances. The military and civilian police units also pointed out that, in the past, the civilian administration had sought their help in facilitating investigations, as they have the people and resources to conduct investigations in cases involving children and women.

40. In the opinion of OIOS, missions need to establish a mandatory joint investigation mechanism for Category II misconduct cases consisting of the civilian Security Section and military and civilian police in order to maximize investigative capacity and avoid conflict of interest.

Review of misconduct cases by Headquarters needs to be expedited

41. OIOS noted some instances of excessive delays in the review of disciplinary cases submitted to Headquarters. Management from such missions as the United Nations Military Observer Group in India and Pakistan (UNMOGIP), the United Nations Mission in Support of Timor-Leste (UNMISET), MONUC, UNMIK, UNMIL and ONUB pointed out that disciplinary cases submitted to the Office of Human Resources Management were often slow to be resolved. For example, there was a significant delay in finalizing a fraud case in UNMOGIP by Headquarters. Although the investigation had been completed by October 2002 and referred to Headquarters, a panel of the Joint Disciplinary Committee at Headquarters was not formed until December 2003, and the case was only finalized in April 2004. Furthermore, of the six MONUC cases referred by the Department of Peacekeeping Operations to the Office of Human Resources Management in 2004, one was concluded by the end of 2004, four were concluded by mid-March 2005 and one was resolved in July 2005. It is important that cases referred to Headquarters are dealt with promptly through a "fast track" process that can be implemented quickly, while due process is maintained and the rights of the individual are respected.

VI. Misconduct prevention programmes

Comprehensive training programmes on the United Nations standards of conduct and discipline need to be instituted

42. United Nations staff need to be reminded of their obligations under the Charter of the United Nations to act under "the highest standards of efficiency, competence and integrity". In this regard, management should ensure that personnel observe the United Nations standards of conduct and professional codes established for respective staff categories. All categories and levels of peacekeeping personnel should be familiar with the United Nations standards of conduct through regular training courses on discipline.

43. In all missions reviewed, one of the key findings of the OIOS survey was that many respondents did not know how to file a formal complaint. In a related area, a significant number of respondents indicated that they had not received briefings or been provided with information on the United Nations standards of conduct. The survey also revealed that many respondents in all missions were not aware that they are required to report concerns or suspicions regarding sexual exploitation and abuse by a fellow worker and that sexual activity with a person under the age of 18 is prohibited under the United Nations standards of conduct regardless of the local age of consent. *The Office of Human Resources Management noted that information circular ST/IC/2005/19 (reporting of suspected misconduct) was issued in March 2005 to provide information on existing mechanisms for reporting misconduct.*

44. Staff in some missions raised concerns about the lack of training on disciplinary policies and procedures specifically targeting mission personnel, including the head of mission. In the opinion of OIOS, it is important that managers have a good understanding of disciplinary policies in order to apply them appropriately and consistently. Moreover, some missions' personnel highlighted the need for including information on local mission area cultural sensitivities in training courses.

A risk assessment exercise on discipline issues needs to be conducted periodically

45. None of the peacekeeping missions reviewed by OIOS had conducted mission-specific risk assessment exercises identifying exposure to discipline risks. Only 2 of the 19 missions reviewed applied certain elements of risk management to prevent misconduct, but there has been no formal and comprehensive risk assessment. Conducting such a risk assessment exercise would allow the missions and the Department of Peacekeeping Operations to determine high-risk areas and develop appropriate procedures to prevent or mitigate the risks in the areas related to discipline.

Guidelines and criteria for instituting measures to address discipline issues need to be developed

46. There is a need for Headquarters guidance on how to enforce the United Nations standards of conduct, including, for example, the criteria for declaring off-limits areas. Although most of the missions reviewed have instituted measures to prevent sexual exploitation and abuse, such as the enforcement of curfew hours and designation of off-limits areas and premises, these are ad hoc and reactive, and the criteria or guidelines for the adoption of such measures are not defined.

Welfare and recreational facilities need to be improved

47. Many missions do not provide adequate welfare and recreational facilities. Based on the results of its surveys, OIOS concluded that a lack of security in the duty station, the resultant movement restrictions placed on peacekeeping personnel, separation from family and lack of recreational and welfare facilities add to the stress of mission life and tend to breed misconduct.

48. It should be noted that the Organization reimburses the troop-contributing countries for providing welfare and recreational facilities for their troops. However, OIOS observed that most contingents deployed without any form of or very few welfare and recreational facilities. In the opinion of OIOS, missions should regularly review the extent to which contingents use funds paid for welfare self-sustainment.

The negative perception of discipline among certain groups of peacekeeping personnel needs further review

49. The results of the Office of Internal Oversight Services surveys conducted in peacekeeping missions showed that United Nations staff members, United Nations Volunteers and women, in particular, perceived the state of discipline in the mission and the mission's ability to address misconduct and discipline issues as unsatisfactory. This situation needs to be addressed to ensure that the views of these groups of personnel can be taken into account when formulating discipline policies and articulating management responsibilities and duties.

General information on the status of measures taken to prevent misconduct needs to be disseminated

50. General information on the status of measures taken to prevent misconduct, the results of investigations and the administrative and disciplinary measures taken are not disseminated to all peacekeeping personnel and the local population. In all missions, some survey respondents complained about the lack of regular reports on misconduct cases, the results of investigations and disciplinary action taken. Currently, the only information available is through word of mouth. *The Office of Human Resources Management stated that the Secretary-General issued reports on sexual exploitation and abuse (most recently, A/59/782) and the information circular on the practice of the Secretary-General in disciplinary matters (most recently, ST/IC/2005/51).*

VII. Recommendations

51. OIOS has issued a series of recommendations to address the matters discussed in the present report and to improve the state of discipline in the missions led by the Department of Peacekeeping Operations. Management has accepted these recommendations and, in many cases, has started to implement them.[2]

Recommendation 1

52. The Department of Peacekeeping Operations should establish a dedicated full-time capacity at Headquarters and in the missions to address misconduct issues, establish procedures and guidelines, ensure their consistent application and develop and implement prevention programmes and data tracking to ensure that personnel act under "the highest standards of efficiency, competence and integrity", as required by the Charter of the United Nations (AP2005/600/12/01).

53. *The Department of Peacekeeping Operations accepted this recommendation and commented that it had already established conduct and discipline teams at Department of Peacekeeping Operations headquarters and in eight field missions for the budgetary year 2005/06. Furthermore, the Department has requested resources in its 2006/07 support account budget submission for the establishment of additional conduct and discipline teams in 12 missions.*

Recommendation 2

54. The Department of Peacekeeping Operations, in close cooperation with appropriate legislative bodies, should develop a mechanism for upgrading the peacekeepers' awareness of the Charter of the United Nations and the United Nations standards of conduct, and encourage troop-contributing countries to provide training on discipline for all levels of uniformed personnel in the predeployment period (AP2005/600/12/02).

[2] The symbols in parentheses following each recommendation in this section refer to an internal code used by OIOS for recording recommendations.

55. The Department of Peacekeeping Operations accepted this recommendation and stated that it would work with the Office of Human Resources Management on preparing a comprehensive report on conditions of service of staff in the field, to be submitted to the General Assembly at its sixty-first session. The Department also stated that it already provided troop-contributing countries and police-contributing countries with training materials on "Codes of Conduct" and, since 2005, on "Prevention of Sexual Exploitation and Abuse" for use in predeployment training. Since July 2005, training on prevention of sexual exploitation and abuse was mandatory for all peacekeeping personnel. In addition, the Department had developed a training module for the prevention of sexual exploitation and abuse, which was mandatory for all peacekeeping personnel in missions. From July 2005 to January 2006, 97 per cent of civilian staff and 85 per cent of military personnel in UNMIL had received such training; in MONUC, 80 per cent of military personnel had been trained; and in UNOB 96 per cent of the personnel had been trained. Sexual exploitation and abuse issues were also addressed in other United Nations and Department of Peacekeeping Operations materials, including the online e-learning standards of conduct module existing pocket cards ("We Are United Nations Peacekeepers", "Ten Rules"), a mission readiness booklet (distributed to staff prior to deployment), the CD-ROM of the Department for Security and Safety on advanced security in the field, the Department of Peacekeeping Operations Code of Conduct video, the Department of Peacekeeping Operations sexual exploitation and abuse posters and brochures (in six languages) and the DPI Duty of Care brochure that includes the standards of conduct contained in Secretary-General's bulletin ST/SGB/2003/13. The Department of Peacekeeping Operations Intranet site on sexual exploitation and abuse was being developed. The Intranet site, which would incorporate information that could be accessed by peacekeeping personnel, would be launched by 30 June 2006.

Recommendation 3

56. The Department of Peacekeeping Operations, in close cooperation with appropriate legislative bodies, should consider creating, under the aegis of the Special Committee on Peacekeeping Operations, a joint committee or working group, with representatives of the Secretariat and Member States, to monitor the conduct of peacekeepers and the enforcement of disciplinary mechanisms and accountability in the field (AP2005/600/12/03).

57. The Department accepted this recommendation and commented that collaboration between the Secretariat and Member States on conduct issues could be best achieved by instituting regular coordination meetings on conduct issues between Department of Peacekeeping Operations officials and representatives of Member States, rather than under the aegis of the Special Committee on Peacekeeping Operations, which was in formal session for a three- to four-week period only once a year. Department of Peacekeeping Operations scheduled regular coordination meetings to begin by June 2006.

Recommendation 4

58. The Department of Peacekeeping Operations should ensure that senior managers and commanders lead by example and that they make a visible

commitment to promoting the United Nations standards of conduct (AP2005/600/12/04).

59. *The Department of Peacekeeping Operations accepted this recommendation and noted that it was developing a range of measures to strengthen the accountability of the managers and commanders to lead by example and to promote United Nations standards of conduct. The Department was also developing training modules (2 and 3) for middle and senior managers and commanders, and formal guidance for senior mission leaders through an upcoming mission directive on sexual exploitation and abuse. Module 2, when finalized, would be a mandatory training tool for all middle-level managers, military and police supervisors. Module 3 would be mandatory for senior leadership. Both modules would be implemented during the second half of 2006.*

60. *The Department of Peacekeeping Operations also indicated that it had developed a draft directive on sexual exploitation that outlined the responsibilities of managers and commanders at all levels in peacekeeping operations in addressing sexual exploitation and abuse by United Nations peacekeeping personnel. The document was being revised to make it consistent with other policies. The Department anticipated finalizing the directives during the second half of 2006 after consulting with other departments of the Secretariat.*

Recommendation 5

61. The Department of Peacekeeping Operations and the heads of missions should ensure the consistent and fair application of the Organization's disciplinary mechanism across all categories and levels of peacekeeping personnel by stressing that all individuals involved in the disciplinary process will be: (a) held accountable if the rules are not applied consistently or if there is a double standard in adjudicating cases; and (b) subject to appropriate administrative and disciplinary action (AP2005/600/12/05).

62. *The Department of Peacekeeping Operations accepted this recommendation, noting that its conduct and discipline teams would play a key role in stressing the point of the recommendation by monitoring the consistent and fair application of the Organization's disciplinary mechanism across all categories and levels of peacekeeping personnel.*

Recommendation 6

63. The Department of Peacekeeping Operations should establish procedures to include the implementation of measures to address misconduct in the field, especially sexual exploitation and abuse, in the performance goals of civilian managers and civilian police managers in their performance evaluations (AP2005/600/12/06).

64. *The Department of Peacekeeping Operations accepted this recommendation and stated that, in consultation with the Office of Human Resources Management, it would amend the e-PAS to take into account the role of managers in creating and maintaining an environment that prevented sexual exploitation and abuse.*

Recommendation 7

65. The Department of Peacekeeping Operations should, in agreement with troop-contributing countries, establish criteria to evaluate the performance of uniformed managers and contingent commanders in preventing discipline and sexual exploitation and abuse (AP2005/600/12/07).

66. *The Department of Peacekeeping Operations accepted this recommendation, commenting that the recommended activity was part of the Department's action plan to address sexual exploitation and abuse.*

Recommendation 8

67. The Office of Human Resources Management should: (a) compile existing policies, regulations and rules on misconduct in a more user-friendly form; and (b) assist the Department of Peacekeeping Operations in providing guidelines to managers in the field on how to address various types of misconduct based on lessons learned and frequently asked questions, such as clarifying what constitutes permissible and prohibited relations with the local population and/or staff (AP2005/600/12/08).

68. *The Office of Human Resources Management agreed with this recommendation, noting that the Office was already engaged in preparing a presentation of the United Nations standards of conduct that would be more easily understood than the current issuances. The Department of Peacekeeping Operations also accepted this recommendation and commented that on receipt of the Office's presentation, it would work with the Office to provide related guidelines to its managers in peacekeeping missions.*

Recommendation 9

69. The Office of Human Resources Management, in conjunction with the Department of Peacekeeping Operations, should develop practical guidance on how to implement the Secretary-General's bulletin ST/SGB/2003/13 of 9 October 2003 on special measures for protection from sexual exploitation and abuse (AP2005/600/12/09).

70. *The Office of Human Resources Management and the Department of Peacekeeping Operations accepted this recommendation, commenting that a Working Group of the Joint Task Force of the Executive Committees on Peace and Security and on Humanitarian Affairs was finalizing guidelines for the application of Secretary-General's bulletin ST/SGB/2003/13.*

Recommendation 10

71. The Department of Peacekeeping Operations should ensure that female candidates for local posts are interviewed by a gender-balanced panel (AP2005/600/12/10).

72. *The Department of Peacekeeping Operations accepted this recommendation, commenting that in many missions, Department of Peacekeeping Operations focal points for women, where possible, participated on interview panels. The Department's gender policy statement called for the appointment of focal points for women in all missions, whose responsibilities included working with staff and management to address some of the professional barriers and issues relating to harassment in the workplace.*

Recommendation 11

73. The Department of Peacekeeping Operations should prepare a report for the General Assembly recommending the mandatory adoption of the standards of conduct contained in Secretary-General's bulletin ST/SGB/2003/13 and the "Ten Rules: Code of Personal Conduct for Blue Helmets" and "We Are United Nations Peacekeepers". The model memorandum of understanding should also be revised in consultation with the Office of Legal Affairs to include provisions for courses of action to be taken where contingent members are found to be engaged in serious misconduct, including a requirement for reporting on the outcome of action taken by a troop-contributing country after repatriation on grounds of misconduct (AP2005/600/12/11).

74. *The Department of Peacekeeping Operations accepted this recommendation, noting that in September 2005, the Department had submitted to the Office of Legal Affairs for review a revised draft 1997 model memorandum of understanding, which included all the reforms relating to sexual exploitation and abuse endorsed by the Special Committee on Peacekeeping Operations in 2005.*[3] *The final, proposed text would be presented to the Committee for review at its 2006 session.*

Recommendation 12

75. The Department of Peacekeeping Operations, in consultation with the Office of Legal Affairs, should determine what disciplinary regime applies to formed police units and whether they should be accorded a status similar to that of troops deployed under the memorandum of understanding with troop-contributing countries or regular civilian police officers hired under individual secondment contracts (AP2005/600/12/12).

76. *The Department of Peacekeeping Operations accepted this recommendation commenting that the Office of Legal Affairs had been requested to clarify the legal status and therefore disciplinary regime that applied to formed police units. In the interim, all peacekeeping missions had been informed to apply the disciplinary regime of "experts on mission" to formed police units.*

Recommendation 13

77. The Office of Human Resources Management, in coordination with other concerned departments, should expedite the finalization and implementation of

[3] See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 19* (A/59/19/Rev.1).

policies and procedures dealing with the protection of United Nations whistle-blowers among the United Nations staff members. After the promulgation of such policies, the Department of Peacekeeping Operations should develop a consistent set of policies for the protection of whistle-blowers for all categories of peacekeeping personnel (AP2005/600/12/13).

78. *The Office of Human Resources Management and the Department of Peacekeeping Operations accepted this recommendation. On 19 December 2005, the Secretary-General had issued ST/SGB/2005/21, entitled "Protection against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations", effective 1 January 2006. The Department of Peacekeeping Operations further commented that the Department would develop a consistent policy for other categories of peacekeeping personnel.*

Recommendation 14

79. The Department of Peacekeeping Operations should advise staff that *male fide* complaints by United Nations staff members will result in disciplinary sanctions and that any such *male fide* complaints from non-United Nations local persons could result in referral to local law enforcement authorities for further action (AP2005/600/12/14).

80. *The Department of Peacekeeping Operations accepted this recommendation, commenting that guidelines were being developed for public information officers to discourage false and/or malicious accusations by the local population.*

Recommendation 15

81. The Department of Peacekeeping Operations should establish a policy on the maintenance and retention of records concerning misconduct cases. This policy should be considered in the development of the recommended global data tracking system on misconduct (AP2005/600/12/15).

82. *The Department of Peacekeeping Operations accepted this recommendation and stated that its implementation was in progress. The Department had established a web-based mechanism through which authorized mission users could store and access misconduct reports by using a software programme — Cyber Ark. The conduct and discipline team had drafted standard operating procedures to guide its reporting, monitoring, tracking and follow-up of all misconduct cases in peacekeeping missions. The procedures had been circulated for comment and would be finalized by June 2006.*

Recommendation 16

83. The Department of Peacekeeping Operations, in coordination with the Procurement Service, should develop a comprehensive code of ethics specific to procurement staff and require all Headquarters and field procurement staff and members of the Headquarters Committee on Contracts and the local Committee on Contracts to acknowledge in writing annually that they have read and understood the code (AP2005/600/12/16).

84. *The Department of Peacekeeping Operations and the Procurement Service accepted this recommendation, commenting that the Service had undertaken work to develop a code of ethics for procurement staff. On 25 November 2005, Secretary-General's bulletin ST/SGB/2005/19 was issued, requiring the filing of a financial disclosure by all procurement staff. The Office of Human Resources Management added that Secretary-General's bulletin ST/SGB/2005/19 was currently being revised to define the staff members who had to file a financial disclosure statement. Upon the issuance of the revised Secretary-General's bulletin, another bulletin on the rules governing the conduct of staff engaged in procurement activities would be issued.*

Recommendation 17

85. The Department of Peacekeeping Operations, in coordination with the Department of Management Procurement Service, should include a provision on preventing sexual exploitation and abuse cases in new contracts and require existing and new contractors to certify in writing that they will comply with the sexual exploitation and abuse provisions of Secretary-General's bulletin ST/SGB/2003/13 (AP2005/600/12/17).

86. *The Department of Peacekeeping Operations and the Procurement Service accepted this recommendation and stated that it had been implemented. The Department and the Office of Human Resources Management further stated that all new contracts currently included clauses on prevention of sexual exploitation and abuse in compliance with Secretary-General's bulletin ST/SGB/2003/13. The Procurement Service had also updated the terms and conditions for tender, requiring vendors to acknowledge that the United Nations general terms and conditions for contracts were acceptable. Vendors were also required to submit declarations accepting the terms and conditions.*

Recommendation 18

87. The Department of Peacekeeping Operations, in consultation with the OIOS Investigations Division and the Department of Safety and Security, should develop a standardized, comprehensive data tracking system to enable senior management at Headquarters and in missions to obtain information on the number and type of allegations and the status of follow-up action or investigations and to ensure that those found culpable of serious misconduct are not rehired (AP2005/600/12/19).

88. *The Department of Peacekeeping Operations accepted this recommendation and commented that the implementation of the first part of the recommendation was in progress and the second part had been implemented. The Department had developed a comprehensive data tracking and reporting system. That database would provide a secure mechanism for the uniform collection, transmission and status tracking of allegations of misconduct in all Department of Peacekeeping Operations field missions. A pilot phase of the project was ongoing and would be fully implemented by 30 June 2006. The Department routinely listed the names of persons found culpable of serious misconduct and prevented their rehiring.*

Recommendation 19

89. The Department of Peacekeeping Operations should: (a) develop formal procedures for receiving, handling and monitoring complaints which should be implemented in all peacekeeping missions; (b) ensure that these procedures are considered in the development of a database for tracking complaints in the missions and at Headquarters (AP2005/600/12/20).

90. *The Department of Peacekeeping Operations accepted this recommendation and commented that the conduct and discipline team had drafted standard operating procedures to guide its reporting, monitoring, tracking and follow-up of all misconduct cases in peacekeeping missions. The standards of procedure had been circulated for comment and would be finalized by June 2006.*

Recommendation 20

91. The Department of Peacekeeping Operations, in coordination with the OIOS Investigations Division, the Office of Human Resources Management and the Department of Safety and Security, should organize formal training sessions on investigation techniques concerning all types of misconduct cases for personnel conducting preliminary investigations in the field led by the Investigations Division as per General Assembly resolution 59/287 (AP2005/600/12/21).

92. *The Department of Peacekeeping Operations accepted this recommendation and noted that the OIOS Investigations Division was mandated under resolution 59/287 to train managers in investigation techniques. The Department would therefore support OIOS, as the lead entity for investigations, in organizing and conducting training on investigation techniques for field personnel conducting preliminary investigations of misconduct cases. The Office of Human Resources Management added that it was ready to participate with OIOS and the Department of Peacekeeping Operations in coordinating formal training sessions on investigation techniques. The Department of Safety and Security concurred with that recommendation.*

Recommendation 21

93. The Department of Peacekeeping Operations should establish formal coordination mechanisms among the various mission components in order to improve information sharing and coordination of investigations into misconduct (AP2005/600/12/22).

94. *The Department of Peacekeeping Operations accepted this recommendation, noting that it would provide uniform, formal guidance on coordination mechanisms through the upcoming mission directive on sexual exploitation and abuse.*

Recommendation 22

95. The Department of Peacekeeping Operations, in cooperation with the Office of Human Resources Management, should establish benchmarks for the completion of every phase of their investigation, administrative or disciplinary process as well as

the follow-up process, depending on the nature of the case. In implementing this recommendation, the Department should consult with the OIOS Investigations Division as per the Division's mandate (AP2005/600/12/23).

96. *The Department of Peacekeeping Operations accepted this recommendation and stated that it had started preliminary consultations with OIOS and the Office of Human Resources Management to develop appropriate benchmarks to guide the handling of disciplinary cases.*

Recommendation 23

97. The Department of Peacekeeping Operations should: (a) ensure that training programmes on the United Nations standards of conduct for all categories and all levels of peacekeeping personnel are instituted prior to deployment and during the mission assignment by, for example, developing a web-based training programme on conduct issues, which should be mandatory for all personnel, similar to the basic security in the field course; (b) provide additional training on "setting the tone at the top" and managerial responsibility for addressing discipline issues to senior managers in the mission up to the level of the head of mission (AP2005/600/12/24).

98. *The Department of Peacekeeping Operations accepted this recommendation, noting that the Department provided troop-contributing and police-contributing countries with training materials relating to the code of conduct and prevention of sexual exploitation and abuse for use in predeployment training. The Department was also developing a training module for middle and senior managers and commanders. A code of conduct video and standards of conduct e-learning course had been completed and were available on the Web for all staff to access and complete.*

Recommendation 24

99. The Department of Peacekeeping Operations should: (a) include the discipline risk assessment in the pre-mandate assessment for the mission, predeployment assessments of uniformed personnel and any ongoing evaluations during the life of the mission; and (b) direct the missions to conduct an ongoing, regular risk assessment exercise to identify high-risk misconduct issues facing each mission and to develop a strategy for preventing or mitigating the identified risks (AP2005/600/12/25).

100. *The Department of Peacekeeping Operations accepted this recommendation, noting that it currently reviewed conduct issues in evaluation exercises performed by its Military Division. The Department closely consulted with the United Nations country team in pre-assessment exercises for potential peacekeeping operations and would expand consultations with the team and other organizations to include risks relating to conduct and discipline issues. The Department of Safety and Security also concurred with the recommendation and stated that it would assist in that effort through the provision of the relevant Department of Safety and Security products resulting from security risk assessments.*

Recommendation 25

101. The Department of Peacekeeping Operations should provide guidance to missions on implementing measures to enforce United Nations standards of conduct, such as criteria for declaring and updating curfew hours and off-limits areas (AP2005/600/12/26).

102. *The Department of Peacekeeping Operations accepted this recommendation, commenting that the guidance would be provided as part of the upcoming mission directive on sexual exploitation and abuse. It further stated that the mandate of the conduct and discipline team also included providing guidance to missions on the enforcement of United Nations standards of conduct. The Department of Safety and Security also concurred with the recommendation and stated that it believed that, while there might be a relationship in some missions between standards of conduct and security risk, mission personnel should be made specifically aware when movement restrictions (i.e., limits areas, curfew) were imposed for reasons of enforcing standards of conduct as opposed to mitigating security risk.*

Recommendation 26

103. The Department of Peacekeeping Operations should: (a) be more proactive in instituting measures to ease the living conditions in the missions, such as the provision of welfare and recreational facilities for all personnel; and (b) follow up with troop-contributing countries on the requirements in the relevant memorandum of understanding to provide welfare and recreational facilities to the troops (AP2005/600/12/27).

104. *The Department of Peacekeeping Operations accepted this recommendation, commenting that it had already requested all peacekeeping missions to improve welfare and recreation facilities within existing resources. In addition, the Department was conducting a comprehensive review of welfare and recreation in its missions in accordance with the recommendations of the Special Committee on Peacekeeping Operations. The conduct and discipline team had finalized a policy directive and standard operating procedures on welfare and recreation for peacekeeping missions. The document was being reviewed by Department of Peacekeeping Operations senior management and would be circulated to all peacekeeping missions when finalized.*

Recommendation 27

105. The Department of Peacekeeping Operations should ensure that missions identify the reasons for the dissatisfaction of United Nations staff members and United Nations Volunteers, particularly women, with the state of discipline in the field and the missions' ability to address conduct and discipline issues, as indicated by the OIOS survey results, and take appropriate action (AP2005/600/12/28).

106. *The Department of Peacekeeping Operations accepted this recommendation, which would be integrated into its gender mainstreaming efforts.*

Recommendation 28

107. The Department of Peacekeeping Operations and the heads of all missions should regularly update all peacekeeping personnel and the local population on the status of measures taken on misconduct (AP2005/600/12/29).

108. *The Department of Peacekeeping Operations accepted this recommendation, noting that the guidance would be provided as part of the upcoming mission directive on sexual exploitation and abuse.*

(*Signed*) Inga-Britt **Ahlenius**
Under-Secretary-General for Internal Oversight Services